CF 1002 (3)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO.2256 / 2004

Petitioner : Shri Jagdish Yadav S/o Shri K.R.Yadav Aged about 56 years, Head Master Government High School (Middle School) Barjor, Block-Kasabel, Dist : Jashpur-(C.G.)

P.R. No. 2859/04 Presented by Shri Ishahat Ali Jashpuri dated 25-8-04

Versus

Respondents :

1. State of Chhattisgarh Through the Secretary, School Education Department, D.K.S. Bhawan, Raipur, Dist : Raipur-(C.G.)

2. The Collector / Assistant Commissioner, Tribal Welfare Department Jashpur-(C.G.)

25-8-04

Clerk

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2856/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20/9/2004

Shri P. Diwakar, Counsel for the petitioner.

Shri Akhil Agrawal, P.L., for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner's son is suffering from Epileptic Psychosis; copy of medical certificate is Annexure – P/3. It is also submitted that no one has been posted in place of the petitioner and he has not been relieved so far. It is also stated that the petitioner has received an information that one post of Head Master is lying vacant at Shabad Munda, which is around 10 Kms. away from the present place of posting of the petitioner. It is submitted that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within ten days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt of the representation. Since no one has been posted in place of the petitioner and the fact that he has not been relieved so far, it is directed that till the representation is decided, the petitioner shall be allowed to continue on the present place of posting. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P.No.2522/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge